411.35629PC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

大小 (B) (2007) (2007)

Applicants: H. KOHLER

Serial No.:

09/865.201

Filed:

May 29, 2001

For:

FUSION PROTEINS OF BIOLOGICALLY ACTIVE PEPTIDES AND

ANTIBODIES

Group:

1645

Examiner:

Huynh

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 November 3, 2003

In response to the restriction requirement dated June 3, 2003, Applicants hereby elect Group IX, Claims 20 - 26, drawn to a fusion protein made of (1) an antibody and (2) a peptide wherein the antibody is specific for a specific membrane structure on a normal cell or on tumor cells and wherein the peptide is a specific binding site derived from a natural ligand for a specific cellular receptor, and a fusion gene encoding said fusion protein. The election is made with traverse on the grounds that it is possible for some antibodies to be both specific for a membrane structure on a tumor cell, and for a specific cellular receptor, an example being an anti-idiotype antibody, such as is elected herein. Accordingly, the products of Groups IX and XII do not necessarily differ with respect to structure, physiochemical properties and effects as alleged by the Examiner.

In response to the election of species, Applicants hereby elect the murine anti-

peptide. Claim 21 reads on the elected species.

Kindly charge any additional fees due, or credit overpayment of fees, to Deposit Account No. 01-2135 (411.35629PC2).

Respectfully submitted, ANTONELLI, TERRY, STOUT & KRAUS

RTW/RTW (703)312-6600 Ralph T. Webb Reg. No. 33,047

Patent Dkt. No. 411.35629PC	
Application No. 09/865, 201 A	/ Filing Date Hay 27, 2002
Applicant(s) <u>H. KOHLER</u>	
Papers Filed Herewith onNove	mber 3, 2003
Receipt is hereby acknowledged of the in connection with the above-identified	e papers filed as Indicated by the checked items
☐ New Application Transmittal Form	
Pages of Specification (cla	
Sheets of Drawings	☐ Amendment
☐ Declaration (pages)	Response to Office Action
Q Fee Transmittal Form	Petition for Extension of Time (4 mos
☐ Claim for Priority	C \ ☐ Information Disclosure Statement
☐ Priority Documents	PTO-1449 Copies of References
Assignment Papers	Revised Drawings (sheets)
☐ Issue Fee Transmittal	Notice of Appeal
124	ART.
Other	Nr.

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